

### **REMARKS**

In the above-identified Office action, the examiner had restricted this application to one of three inventions under 35 U.S.C. §121. Specifically, the examiner had identified Group I as included claims 1-50 drawn to an apparatus; Group II including claims 51-60 drawn to a work holder; and Group III including claims 61-70 drawn to a method of three dimensional layering. The examiner had additionally identified in detail the basis for requiring restriction to one of these three groups.

Applicant initially notes that claims 51-54 are dependent claims depending (through intervening claims) from independent claim 31. Claims 51-54 do not appear to bear any connection to independent claim 55 or dependent claims 56-60 which depend from independent claim 55. Thus, applicant respectfully submits that claims 51-54 should be included in Group I along with claims 1-50. Applicant's election is specifically to the invention of Group I. As a secondary matter, applicant respectfully submits that the claims of Group I include claims 1-54.

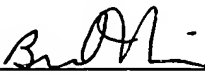
Additionally, applicant has reviewed the claims of Group III including claims 61-70, and respectfully submits that these method claims are sufficiently closely related to the claims of Group I that these method claims can effectively be examined together. In particular, at numbered paragraph 2 of the above-identified Office action the examiner had indicated that the inventions of Groups I and III were distinct because the process of Group III could be practiced by another material different apparatus such as a laminating apparatus.

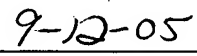
Independent claim 61, within Group III, includes numerous steps which have structural components therein. For instance, the step of "locating a bed having a plurality of alignment locations below the printer, the alignment locations having different heights" is not believed to be practicable with a laminating machine. Additionally, claim 61 requires the step of "positioning movable substrate blocks on the alignment locations of the bed." This step additionally does not appear to be

practicable by a laminating machine. These requirements of the claims of Group III, among others, lead applicant to conclude that the claims of Group I drawn to the apparatus and the claims of Group III drawing to the method are sufficiently closely related that they can be examined together as the same invention. However, applicant will defer to the examiner's sound judgment with regard to how best to examine the claims of this application.

Should the examiner wish to discuss the necessity of this restriction requirement in further detail, or should additional issues have been raised by this response, the undersigned invites the examiner to contact the undersigned to address any such issues.

Respectfully Submitted:

  
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